IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellant

VS.

HARVEY ABABA, Petitioner/Defendant-Appellee

and

RODRIGO ABABA, Defendant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 00-1-0071)

ORDER GRANTING APPLICATION FOR WRIT OF CERTIORARI (By: Acoba, J. for the court)

Upon consideration of the application for a writ of certiorari filed on December 30, 2002 by Petitioner/Defendant-Appellee Harvey Ababa, the same is hereby granted.

DATED: Honolulu, Hawai'i, January 6, 2003.

FOR THE COURT:

Associate Justice

Edward K. Harada, Deputy Public Defender, for petitioner/defendant-appellant, on the writ.